

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

PHARMASTEM THERAPEUTICS, INC.,
a Delaware corporation,

Plaintiff,

CASE NO.:8:04-CV-1740-T-30TGW

v.

CRYO-CELL INTERNATIONAL, INC., a
Delaware corporation, BRUCE ZAFRAN, MD,
an individual,

Defendants.

**SECOND AGREED MOTION FOR EXTENSION OF TIME TO RESPOND
TO COMPLAINT AND MEMORANDUM OF LAW**

Defendants, Cryo-Cell International, Inc. ("Cryo-Cell") and Bruce Zafran, M.D. ("Zafran") file this Second Agreed Motion for Extension of Time to Respond to Complaint and request that this Court extend the time for Cryo-Cell and Zafran to respond to the Complaint until Monday, September 20, 2004. In support hereof, defendants submit the accompanying memorandum of law.

MEMORANDUM OF LAW

Defendants, Cryo-Cell and Zafran request that this Court grant an extension until September 20, 2004, for Cryo-Cell and Zafran to respond to the complaint. The present schedule calls for a response by Monday, September 13, 2004. Defendants have consulted with counsel for the plaintiff, Pharmastem Therapeutics, Inc., and the undersigned is authorized to represent to this Court that the plaintiff consents to the requested extension and has no objection to this motion. Defendants request this extension because of interruptions caused by Hurricane Frances,

which has interrupted, in fact, preparation of the response. Defendants are also concerned whether Hurricane Ivan will prevent a response on Monday, September 13, 2004.

WHEREFORE, it is respectfully requested that this Honorable Court grant this motion and allow an extension of time until Monday, September 20, 2004, for the filing of defendants' responses to the complaint.

Respectfully submitted,

AKERMAN SENTERFITT

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Attorneys for Cryo-Cell International, Inc. and
Brian Zafran, M.D.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Agreed Motion for Extension of Time to Respond to Complaint and Memorandum of Law has been furnished to Charles A. Carlson, Esq., Barnett, Bolt, Kirkwood, Long & McBride, Post Office Box 3287, Tampa, Florida 33601 and Paul Andre, Esq., Perkins Coie LLP, 101 Jefferson Drive, Menlo Park, CA 94025, via regular U.S. Mail on this 10th of September, 2004.

/s/ Charles F. Ketchey, Jr.
Attorney